

CABINET

MINUTES AND DECISION RECORD

12 November 2007

The meeting commenced at 9.00 a.m. in the Avondale Centre, Hartlepool

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Gerard Hall (Adult and Public Health Services Portfolio Holder),
Cath Hill (Children's Services Portfolio Holder),
Robbie Payne (Finance & Efficiency Portfolio Holder),
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker Chief Executive,
Michael Ward, Chief Financial Officer
Adrienne Simcock, Director of Children's Services
Paul Briggs, Assistant Director (Resources and Support Services)
Sue Johnson, Assistant Director (Planning and Service Integration)
John Mennear, Assistant Director (Community Services)
Dave Stubbs, Director of Neighbourhood Services
Graham Frankland, Head of Procurement and Property Services
Stuart Green, Assistant Director (Planning and Economic Development)
Antony Steinberg, Economic Development Manager
Neil Harrison, Disability Inclusion Manager

125. Apologies for Absence

Councillors Pam Hargreaves (Deputy Mayor) and Peter Jackson (Neighbourhoods & Communities Portfolio Holder).

126. Declarations of interest by members

None.

127. Confirmation of the minutes of the meeting held on 29 October 2007

Confirmed.

128. Building Schools for the Future: Proposed Brierton Community School Closure – Representations Made to Published Statutory Notices *(Director of Children's Services)*

Type of decision

Key Decision, test (i) and (ii) apply.

Purpose of report

To request Cabinet to note the outcomes of the statutory notice period regarding the proposal to discontinue Brierton Community School and to determine the next stage of action.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that Hartlepool Borough Council had been admitted to the BSF programme in 2007 as a Wave 5 Authority. Hartlepool had been set a timescale for its first year as a BSF authority and it is essential to adhere to this timescale in order to ensure it receives its funding allocation. Agreement on the number of schools and number of places within each school is an essential feature of the Strategy for Change, the first part of which is due for submission in December 2007.

The Portfolio Holder presented the detailed report to Cabinet setting out the three consultations stages undertaken and the timescales involved, prior to the statutory notice being issued. A copy of the Statutory Notice was attached at Appendix 7 to the report. The key issues covered in the notice were:

- Discontinuance of Brierton Community School on 31st August 2009
- Enlargement of the five remaining mainstream secondary schools
- Transfer of specialist provision for pupils with Autistic Spectrum Disorders from Brierton Community School to Manor College of Technology.

During the six-week statutory notice period 195 responses were received.

1. Letters received that were signed by "people who work in the community" – 88 individual copies (Appendix 1 to the report)
2. Letters received that were signed by "a parent of a child attending Brierton" – 103 individual copies (Appendix 2 to the report).

Detailed responses to the issues raised in these and other consultation responses were set out in the report. The responses, briefly, covered the issues of the timing of the closure, the joint working arrangement with Dyke House School, building and site issues and the effects on staff and pupils. These issues were covered in detail in the report and with Cabinet during the meeting.

The Mayor questioned the potential effect that agreeing to a closure of Brierton School without the agreement of the Schools Adjudicator to the increases in the other remaining schools. It was reported that preliminary discussions had been held with the Schools Adjudicator's office and the indication was that it was unlikely that the proposals would be refused. There were other arrangements that the authority could put in place.

Members questioned the potential impact of the government's recent announcement on the extending of school leavers age to 18. The Director of Children's Services commented that BSF was planning the arrangements for 11-16 year old children. The provision for pupils aged 16+ would be addressed through the 14-19 Strategy Board.

The Portfolio Holder highlighted that the proposals were being fully endorsed by the Head Teachers in the town. The Mayor noted the excellent work that was being done at Brierton in partnership with Dyke House School. He considered this would lend impetus to the arrangements for the transfer of children. It would no doubt be a difficult period for the children, their parents and staff but the Mayor was confident that there would be no detrimental effects on pupils' education.

The issue of the security and future of the buildings once the closure was complete was raised. Officers stated that over the next 20 months, an officer working group would be looking at this issue together with safeguarding pupils' education and staffing issues. Should the building not be required immediately after the closure, demolition could be progressed speedily. However, there may be some decanting arrangements that may be needed for a period after the closure.

Cabinet unanimously supported the recommendations put forward in the report.

Decision

1. that the outcomes of the statutory notice period relating to the proposed Brierton Community School closure be noted.
2. that the closure of Brierton Community School (conditional upon agreement of Schools Adjudicator to enlargement of the other five mainstream schools) be approved.
3. that approval be given to implementing the closure over two phases, beginning on 1st September 2008, with the school finally closing with effect from 31 August 2009.
4. that the subsequent transfer of the additionally resourced provision for pupils with ASD from Brierton Community School to Manor College of Technology also with effect from 31 August 2009 be approved.
5. that the Schools Adjudicator be requested to approve an in year

variation to the admission numbers of the five remaining secondary schools referred to earlier in this report at section 1, paragraph 4.

129. Building Schools for the Future Stage 4 Consultation (Director of Children's Services)

Type of decision

Key decision – tests (i) and (ii) apply.

Purpose of report

To inform members of the outcomes of the fourth stage of consultation in preparation for the Building Schools for the Future (BSF) programme and to determine the next actions to be taken.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that Hartlepool Borough Council had been admitted to the BSF programme in 2007 as a Wave 5 Authority. Hartlepool had been set a timescale for its first year as a BSF authority and it is essential to adhere to this timescale in order to ensure it receives its funding allocation. Agreement on the number of schools and number of places within each school is an essential feature of the Strategy for Change, the first part of which is due to for submission in December 2007.

The report set out details of the three stages of consultation that had taken place so far and focussed on the Stage 4 consultation exercise that was targeted at meeting the needs of children and young people who have a range of special educational and additional needs. This part of the consultation looked specifically at the possible co-location of Catcote and Springwell schools, as authorised by Cabinet on 19th March 2007. In view of the inter-related nature of other issues concerning special educational needs, the opportunity was taken to consult on a number of these other SEN issues.

The consultation document sought views on the following key issues:

1. Special Schools – the possible co-location of Catcote and Springwell schools.
2. Provision for behavioural, emotional and social difficulties (BESD) at Catcote School.
3. Provision for excluded pupils.
4. Support in mainstream schools
 - 4.1 outreach support
 - 4.2 provision for pupils with physical and/or medical difficulties
 - 4.3 special support at Key Stage 1

The BSF and SEN Stage 4 consultation period began on 24th September 2007 and ran until 26th October 2007. Over 300 people attended the twenty-four consultation meetings/briefings that took place during this

period.

Details of the responses to the Stage 4 consultation had been placed on the Council's website. Some responses received were collective responses and in addition, a number of individual responses were received. Not all responses commented on all aspects of the consultation. The responses were summarised in Appendix 1 to the report and were analysed in detail within the report. The report then went on to discuss the possible options for the co-location of Catcote and Springwell Schools, provision for Behavioural, Emotional and Social Difficulties at Catcote School, provision for excluded pupils and support in mainstream schools.

In response to Members questions, it was highlighted that question of the co-location of the two schools in the stage 4 consultation was to see if the suggestion was seen as a good idea. Officers had been careful not to raise expectations, as there was much further work to be done before any proposal could be brought forward. The issue of funding was key as BSF would only relate to Catcote School but there were many benefits that co-location could bring. It was, however, stressed that co-location was not being suggested as a money saving scheme. There would be cost efficiencies through the sharing of specialised facilities that co-location could bring but the meeting of children's needs was the primary concern.

Decision

1. That Cabinet notes the outcomes of the fourth stage of consultation in preparation for Building Schools for the Future and Special Educational Needs.
2. That approval be given in principle to the development of a proposal to co-locate Catcote and Springwell schools and to identify a range of options as to how this might be achieved.
3. That the publication of a formal statutory notice to re-designate Catcote School to admit up to 30 pupils with statements of special educational needs for behavioural, emotional and social difficulties (BESD) within the age range 10 years – 17 years be authorised.
4. That further consultation with members of the Secondary Behaviour and Attendance Partnership and other stakeholders of possible options for making provision for pupils who have been permanently excluded from school be authorised.
5. That the Schools Forum be recommended to consider the allocation of funding to support specialist teacher outreach from Catcote and Springwell Special Schools and High Tunstall College of Science.
6. That the publication of a formal statutory notice to discontinue the additionally resourced provision for children with learning difficulties at Key Stage 1 pupils at Jesmond Road Primary School be authorised.

130. Inquorate Meeting

Following the departure of Councillor Tumilty, it was noted that the meeting was not quorate. The Mayor indicated that (as permitted under the Local Government Act 2000 and the Constitution) he would exercise his powers of decision and that he would do so in accordance with the wishes of the Members present, as indicated in the usual way. Each of the decisions set out in the decision record were confirmed by the Mayor accordingly.

131. **LINKs (Local Involvement Networks)** *(Director of Adult and Community Services)*

Type of decision

Non-key.

Purpose of report

To update Cabinet on the preparation for the introduction of a LINK within Hartlepool and to seek endorsement of the procurement process and a planned consultation event.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported that the Department of Health had agreed to the Development of Local Involvement Networks (LINKs) to improve Service User and Public Engagement in Health and Social Care. The aim of the LINKs Network was to create a system where more people are empowered to be active partners in the Health and Social Care system rather than passive recipients of care. A report on the details of the scheme had been considered by Cabinet on 1 October 2007.

The Local Government Public Involvement in Health Bill has now passed through the Commons and preparation for the Hartlepool LINK needs to be progressed. The Government has allocated £10,000 for the development, preparations and procurement stages. A further allocation to implement and deliver the LINKs is awaited.

The procurement process had now been developed on a Tees Valley basis with an overall common tender approach with local accountability and management of the contract. This ensured that the contract is procured in the most efficient way but with the benefits of strong local control. Middlesbrough Council had offered to take the lead in the process with the costs shared between each of the Councils. Hartlepool's share of the costs is £2500 to be funded from the £10,000 allocation.

It was proposed that a steering group should be established after the consultation event to manage the process with a suggested composition of:-

- Portfolio Holder for Adults and Public Health - Councillor Gerard Hall
- Portfolio Holder for Children's Services – Councillor Cath Hill

- Chair of Adults and Community Services and Health Scrutiny Forum – Councillor Jonathan Brash
- PCT Representative
- Director of Adult and Community Services
- Director of Children Services
- Voluntary Sector Representative

There will be an officer working group to support this process and to engage further with stakeholders. Cabinet Members expressed concern that the timescale for this process was extremely tight. Officers acknowledged that this was the case but the timetable was being driven by central government.

Decision

1. That Cabinet notes the progress made to date and endorses the procurement process set out in the report.
2. That the proposed consultation event be endorsed.
3. That the formation of a Steering Group be supported.

132. Scrutiny Investigation into Youth Unemployment Action Plan *(Director of Regeneration and Planning Services)*

Type of decision

Non-key.

Purpose of report

To agree an Action Plan in response to the findings of the Regeneration and Planning Services Scrutiny Forum investigation into Youth Unemployment.

Issue(s) for consideration by Cabinet

The Mayor indicated that the report provided brief background information on the Youth Unemployment Scrutiny Investigation and provides an Action Plan in response to the Forum's recommendations. The action plan, set out at appendix A to the report, was briefly outlined to Cabinet. The action plan would be reported to Scrutiny in December.

Decision

That the Action Plan in response to the recommendations of the Regeneration and Planning Services Scrutiny Forum's Youth Unemployment Investigation be approved and reported to the Scrutiny Forum meeting on 6th December 2007

133. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as

defined in the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 134 Havelock Centre, Lynn Street, Community Asset Transfer (Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Minute 135 Hartlepool People Centre, 21 Raby Road (Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Minute 136 Eldon Grove Sports Centre, Hartlepool (Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

134. Havelock Centre, Lynn Street, Community Asset

Transfer (*Director of Neighbourhood Services and Director of Adult and Community Services*) (Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely, information relating to the financial or business affairs of any particular person (including the authority holding that information.)

Type of decision

Non-key.

Purpose of report

The report sought Members consideration to a community asset transfer of the Havelock Centre, Lynn Street Hartlepool, to the third sector to enable the development of a centre for Independent Living

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported on the potential opportunity to transfer assets as outlined in the Government's "Quirk Report" by enabling a Cohort of third sector organisations to apply for a Big Lottery Grant to Cabinet office (Office of the Third Sector).

Decision

The decision of Cabinet is set out in the 'not for publication' section of the minutes.

135. Hartlepool People Centre, 21 Raby Road (*Director of*

Neighbourhood Services) (Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of

Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely, information relating to the financial or business affairs of any particular person (including the authority holding that information.)

Type of decision

Non-key

Purpose of report

To provide a further update to Cabinet on the bid by Hartlepool People to purchase the People Centre which they currently occupy. To seek Cabinet's support for a bid to the Government's Community Asset Fund by Hartlepool People.

Issue(s) for consideration by Cabinet

The Finance and Efficiency Portfolio Holder reported on the latest discussions that had taken place with Hartlepool People and put these in the context of the Custodian Property Agreement, which governed the disposal of the property. A potential bid to the Government's Community Asset fund was also discussed.

Decision

The decision of Cabinet is set out in the 'not for publication' section of the minutes.

- 136. Eldon Grove Sports Centre, Hartlepool** (*Director of Neighbourhood Services and Director of Adult and Community Services*) (Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely, information relating to the financial or business affairs of any particular person (including the authority holding that information.)

Type of decision

Non-key.

Purpose of report

The report advised Cabinet on the progress that had been made in negotiations with Eldon Grove Tennis Club since the last report presented on 28th August 2007 including proposed amendments to the terms offered to the club.

Issue(s) for consideration by Cabinet

The Finance and Efficiency Portfolio Holder outlined the latest discussions that had taken place with the Tennis Club with regard to the proposed demolition of the sports centre and development of the land as a Tennis

Academy. The report gave background on the funding avenues that had been explored for the scheme and details of a proposed amendment to the terms that had been requested by the Tennis Club.

Decision

The decision of Cabinet is set out in the 'not for publication' section of the minutes.

J A BROWN

CHIEF SOLICITOR

PUBLICATION DATE: 21 November 2007